

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
WESTERN DIVISION

Phillip Bloodworth,

Case No. 3:20-cv-2424

Plaintiff,

v.

ORDER

Mark Pouperd, *et al.*,

Defendants.

Plaintiff Phillip Bloodworth has filed a motion to proceed on appeal without preparing the appellate filing fee. (Doc. No. 46). He seeks to argue that I erred in dismissing his claims pursuant to Rule 12. (*See* Doc. No. 40).

Section 1915 provides “[a]n appeal may not be taken in forma pauperis if the trial court certifies in writing that it is not taken in good faith.” 28 U.S.C. § 1915(a)(3). A court may grant a motion to proceed in forma pauperis if the issues are arguable on their merits, even if the petitioner cannot show a probability of success on the merits. *See, e.g., Foster v. Ludwick*, 208 F. Supp. 2d 750, 765 (E.D. Mich. 2002). I conclude the issues Bloodworth raises are not frivolous, even if he is unlikely to succeed on appeal, and grant his motion to proceed in forma pauperis on appeal. (Doc. No. 46).

So Ordered.

s/ Jeffrey J. Helmick  
United States District Judge